

**NITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**CIVIL MINUTES - GENERAL**

Case No.	5:15-cv-1815-JLS (GJS)	Date	March 22, 2016
Title	Frank Keith Pilato v. Carolyn W. Colvin		

Present: Hon. Gail J. Standish, United States Magistrate Judge

E. Carson

N/A

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiff:

None present

Attorneys Present for Defendant:

None present

**Proceedings:** (IN CHAMBERS) Order to Show Cause Why Sanctions Should Not Issue for Defendant's Failure to Timely File a Brief In Support of Her Answer

On February 10, 2016, Pilato filed and served his memorandum in support of his Complaint. [Dkt. 12.] Under the Court's case management order, the Commissioner's brief in support of her Answer was due 30 days later—*i.e.*, on March 11, 2016. [See Dkt. 7 at 6. (“Defendant must file a memorandum titled ‘Defendant’s Memorandum in Support of Answer’ (‘Defendant’s Memorandum’) with thirty days of service of Plaintiff’s Memorandum.”).] The Commissioner has neither filed the required brief nor sought an extension.

The Court is concerned that noncompliance with the Court's scheduling orders is becoming a pattern for the Commissioner when represented by present counsel. This same counsel represented the Commissioner when she recently missed the deadline to file her brief in support of her Answer in *Caroline Tremont v. Carolyn W. Colvin*, 2:14-cv-9906-SVW-GJS (“*Tremont*”). [See *Tremont*, Dkt. 26 (Feb. 23, 2016).] Accordingly, the Court orders the Commissioner to file a brief by March 28, 2016 as to whether sanctions should issue. If Pilato's counsel wants to file a response—and none is expected—counsel must seek leave to do so by March 27.

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THEREFORE, the Commissioner is ordered to show cause why sanctions should not issue for violation of the Court's deadline to file a brief in support of the Answer by March 28, 2016.

**IT IS SO ORDERED.**